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LABOR LEGISLATION

FRANKFURTER, FELIX and GOLDMARK, JOSEPHINE. *Oregon Minimum Wage Cases: Brief for Defendants in Error upon Re-argument*. Pp. 783. New York: National Consumers' League, 1917.

The brief for the State in the Oregon Minimum Wage Case recently before the Federal Supreme Court has been reprinted by the National Consumers' League for free distribution. The State upheld the constitutionality of the Oregon Act, and from this decision an appeal has been taken by the employer, Frank C. Stettler, and his employe, Elmira Simpson, on two main grounds, viz.: that the act denies equal protection and violates the due process clause of the fourteenth Amendment. The brief for the State presents legal and social arguments upholding the law. These are arranged to show that the police power of the State amply suffices to protect the people from the dangers arising through overwork or through malnutrition caused by under-payment. The brief also contains opinions of experts and statistical tables with other evidence showing the bad effect of excessively low wages on morals, on efficiency of the workman and on the public welfare. The argument is broadly conceived and is an admirable epitome of the whole social viewpoint in labor legislation.

Justice Brandeis, who had assisted in the preparation of the brief before his appointment to the bench, did not participate in the decision, the remaining eight justices were equally divided for and against the appeal. As the State court had upheld the act, an equal division on the appeal allows the State decision to stand, so that the minimum wage law is in effect declared constitutional.

J. T. Y.

JONES, F. ROBERTSON (Ed. by). *Workmen's Compensation Laws of the States and Territories of the United States*. Price, single copies, 25 cents; complete set of 35 pamphlets, \$5.00. New York: Workmen's Compensation Publicity Bureau, 1917.

This series is an extremely convenient form of issue for the compensation acts. Each act is published with its amendments, accompanied by a complete digest with references to sections and clauses. The cover of each has a distinctive color for ready selection. The type is small but clear. The Publicity Bureau has performed a public service in issuing this convenient and well-arranged series.

LAUCK, W. JETT and SYDENSTRICKER, EDGAR. *Conditions of Labor in American Industries*. Pp. xi, 403. Price, \$1.75. New York: Funk and Wagnalls Company, 1917.

The American public is probably less informed on the real facts of labor conditions than any other great people. We speak glibly of wage rates and hours of labor without knowing whether the rates and hours mentioned apply to 1 or 100 per cent of the workers. We cite instances of welfare work by employers but we do not know how many people are affected by modern, up-to-

date welfare systems. We talk of living conditions in New York, Philadelphia, Chicago and of family budgets of the working classes, but few, if any of us, know what is the real charge for rent, for food and clothing and other necessities. In short, we do not understand the conditions under which the worker is operating in either factory or home. The authors of the present book aim to set forth in interesting, readable and very concise form a summary of all the more important recent investigations of these facts. They enjoy a special advantage in having been assigned to do this work for the recent Federal Commission on Industrial Relations. As their report, like so many others of that body, was never published, the authors have rearranged their material slightly, added some further data, and published it on their own responsibility. The book is intelligently planned, is designed to answer those questions which so frequently arise in the mind of the legislator, the teacher, the general reader, and the newspaper editor. There are chapters on The Racial Composition of the Labor Force, the extent of the employment of women and children in industry; Wages; Loss in Working Time and Its Causes; Working Conditions, including hours, accidents, profit sharing, welfare work, scientific management; Family Incomes; Living Conditions, including diet, housing, living arrangements, ownership, health, and The Adequacy of Wages. In each of these the effort has been to state facts, usually without inferences on disputed points. The final chapter contains some specially interesting figures on

(1) The adequacy of earnings of male workers to support families; (2) Of women's wages to support independent wage-earners; (3) Total incomes of wage-earning families; (4) The effect of higher living costs. Here the authors depart from their general policy and give definite conclusions which, however, will be generally accepted. They quote the "staff report" to the Federal Commission on Industrial Relations.

"The welfare of the State demands that the useful labor of every able-bodied workman should, as a minimum, be compensated by sufficient income to support in comfort himself, a wife, and at least three minor children, and in addition to provide for sickness, old age and disability. Under no other conditions can a strong, contented and efficient citizenship be developed."

They also set forth the general agreement among investigators that the American woman wage worker should receive from \$8.00 upwards weekly in order to maintain conditions of decency and health, and they point out that over three fourths of the women in the principal industries and mercantile establishments get less than this amount, while one half in these employments receive only \$6.00. These figures make no allowance for time lost from employment, although as a fact actual earnings fall far short of the nominal rates of pay. The authors also conclude that the wage-earning family as a rule secures less than is needed under modern conditions. While these conclusions are based on conditions as they existed in 1914, the increase in living costs since that time has been greater than in wages. While replete with statistics, the book is interesting throughout. It deserves careful study and a wide circle of readers.

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